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ABBOTT LABORATORIES and
ABBOTT DIABETES CARE, INC.

AGAMATRIX, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ABBOTT LABORATORIES and
ABBOTT DIABETES CARE, INC.,

Plaintiffs,

vs.

AGAMATRIX, INC.,

Defendant.

CASE NO. C 06 07268-JF

**STIPULATED REQUEST TO CONTINUE
HEARING ON MOTION TO COMPEL
XXXXXXXXXXXXXXXXXXXX ORDER]**

Crtrm: 5 (Hon. Patricia V. Trumbull)

1 WHEREAS

2 On August 24, 2010, counsel for Abbott and AgaMatrix came before the Court on
3 Abbott's Motion to Compel Documents Required by Patent L.R. 3-4(a) and Documents
4 Responsive to RFPs 11, 13, 14 and 15. At the hearing the Court directed AgaMatrix to produce
5 additional documents responsive to these requests by September 17, 2010.¹ The Court also set a
6 further hearing on Abbott's Motion to Compel for September 21, 2010 to address any issues that
7 may remain regarding the Motion after the AgaMatrix production.

8 On September 17, 2010, counsel for AgaMatrix sent a letter to Abbott's counsel
9 stating they had substantially completed their production of documents responsive to RFPs 11,
10 13, 14, 15, subject to certain issues set forth in the letter. The letter also identified certain
11 documents or portions of documents as being redacted on the basis that they contained trade
12 secrets and/or were not relevant to issues in this litigation. The letter was accompanied by a
13 production of approximately 100,000 pages of materials, which arrived over the weekend of
14 September 18.

15 Therefore, to permit Abbott to make an initial review of the production, and to
16 permit the parties time to discuss issues relating to the production, the parties request the further
17 hearing on Abbott's Motion to Documents Required by Patent L.R. 3-4(a) and Documents
18 Responsive to RFPs 11, 13, 14 and 15 be continued to September 28, 2010 at 10:00 am, or such
19 other time as the Court sets.
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27 ¹ Abbott and AgaMatrix have a different understanding as to the scope of the Court's order, but
28 neither party believes this need be decided for the purposes of this stipulation.

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2 DATED: September 20, 2010

MUNGER, TOLLES & OLSON, LLP
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4
5 By: /s/ Ian Miller
IAN J. MILLER

6
7 Attorneys for Plaintiffs
ABBOTT LABORATORIES
8 and ABBOTT DIABETES CARE INC.

9
10 DATED: September 20, 2010

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14 Attorneys for Defendant
15 AGAMATRIX, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
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ABBOTT DIABETES CARE INC.
AND ABBOTT LABORATORIES,

Plaintiffs,

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AGAMATRIX, INC.,

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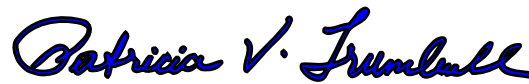
CASE NO. C 06-07268-JF

XXXXXXXXXX)] ORDER GRANTING
STIPULATED REQUEST TO
CONTINUE HEARING ON MOTION
TO COMPEL

Good cause appearing, the Court continues the Further Hearing on Abbott's
Motion to Compel Documents Required by Patent L.R. 3-4(a) and Documents Responsive to
RFPs 11, 13, 14 and 15 to September 28, 2010 at 10:00 AM.

IT IS SO ORDERED.

Dated: September _20 ___, 2010



Honorable Patricia Trumbull
United States Magistrate Judge